

AMENDED IN ASSEMBLY MAY 5, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 543

Introduced by Assembly Member Ma

(Principal coauthor: Senator Runner)

(Coauthor: Assembly Member Block)

(Coauthor: Senator Cedillo)

February 25, 2009

An act to amend Sections 123492 and 123493 of the Health and Safety Code, and to repeal Section 7 of Chapter 878 of the Statutes of 2006, relating to perinatal care, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 543, as amended, Ma. Perinatal care: The Nurse-Family Partnership.

Existing law establishes the Nurse-Family Partnership program to provide grants for voluntary nurse home visiting programs for expectant first-time mothers, their children, and their families, as specified. Existing law prohibits the use of grant moneys to match other grants administered by the State Department of Public Health.

This bill would allow the use of Nurse-Family Partnership program grant moneys as a match for other grants administered by the department.

Existing law establishes the California Families and Children Account in the State Treasury to accept private donations to pay for the program. The account is continuously appropriated to the department for this purpose. Existing law only allows grants to be distributed if the Director

of Finance determines that there are sufficient funds from private donations available in the account. Additionally, under existing law, if there are not sufficient funds on deposit in the account by January 1, 2009, the account shall cease to exist.

This bill would permit the department to accept federal grants for purposes of the program. This bill would revise existing law to permit the program to be implemented if the State Public Health Officer determines, on or before January 1, 2014, that at least \$500,000, *including federal and private moneys*, is available ~~for implementation of the program, including both federal grant funds and moneys~~ in the account. If this determination is not made by that date, it would require that the account cease to exist and funds in the account immediately be distributed to each contributor.

By changing the purpose of a continuously appropriated fund, this bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 123492 of the Health and Safety Code
- 2 is amended to read:
- 3 123492. The department shall develop a grant application and
- 4 award grants on a competitive basis to counties for the startup,
- 5 continuation, and expansion of the program established pursuant
- 6 to Section 123491. To be eligible to receive a grant for purposes
- 7 of that section, a county shall agree to do all of the following:
- 8 (a) Serve through the program only pregnant, low-income
- 9 women who have had no previous live births. Notwithstanding
- 10 subdivision (b) of Section 123485, women who are juvenile
- 11 offenders or who are clients of the juvenile system shall be deemed
- 12 eligible for services under the program.
- 13 (b) Enroll women in the program while they are still pregnant,
- 14 before the 28th week of gestation, and preferably before the 16th
- 15 week of gestation, and continue those women in the program
- 16 through the first two years of the child's life.
- 17 (c) Use as home visitors only registered nurses who have been
- 18 licensed in the state.

1 (d) Have nurse home visitors undergo training according to the
2 program and follow the home visit guidelines developed by the
3 Nurse-Family Partnership program.

4 (e) Have nurse home visitors specially trained in prenatal care
5 and early child development.

6 (f) Have nurse home visitors follow a visit schedule keyed to
7 the developmental stages of pregnancy and early childhood.

8 (g) Ensure that, to the extent possible, services shall be rendered
9 in a culturally and linguistically competent manner.

10 (h) Limit a nurse home visitor's caseload to no more than 25
11 active families at any given time.

12 (i) Provide, for every eight nurse home visitors, a full-time nurse
13 supervisor who holds at least a bachelor's degree in nursing and
14 has substantial experience in community health nursing.

15 (j) Have nurse home visitors and nurse supervisors trained in
16 effective home visitation techniques by qualified trainers.

17 (k) Have nurse home visitors and nurse supervisors trained in
18 the method of assessing early infant development and parent-child
19 interaction in a manner consistent with the program.

20 (l) Provide data on operations, results, and expenditures in the
21 formats and with the frequencies specified by the department.

22 (m) Collaborate with other home visiting and family support
23 programs in the community to avoid duplication of services and
24 complement and integrate with existing services to the extent
25 practicable.

26 (n) Demonstrate that adoption of the Nurse-Family Partnership
27 program is supported by a local governmental or
28 government-affiliated community planning board, decisionmaking
29 board, or advisory body responsible for assuring the availability
30 of effective, coordinated services for families and children in the
31 community.

32 (o) Provide cash or in-kind matching funds in the amount of
33 100 percent of the grant award.

34 SEC. 2. Section 123493 of the Health and Safety Code is
35 amended to read:

36 123493. (a) The department may accept voluntary
37 contributions, in cash or in-kind, to pay for the costs of the
38 implementation of the program under Section 123492. These
39 private donations shall be deposited into the California Families
40 and Children Account, which is hereby created in the State

1 Treasury, which, notwithstanding Section 13340 of the Government
2 Code, is hereby continuously appropriated to the department for
3 purposes of implementing Section 123492 and this section. No
4 moneys from the General Fund shall be used in implementing
5 Section 123492.

6 (b) The department's administration costs shall not exceed 5
7 percent of the moneys in the account created under subdivision
8 (a). Any costs to the department incurred prior to the account
9 receiving funds shall be reimbursed to the department from funds
10 in the account.

11 (c) The department may accept federal grants or private funds.

12 (d) No funds shall be expended from the account to implement
13 Section 123492 unless and until the State Public Health Officer
14 determines, by not later than January 1, 2014, that at least five
15 hundred thousand dollars (\$500,000), *including both federal and*
16 *private funds*, is available ~~for implementation of that section,~~
17 ~~including both federal grant funds and moneys~~ in the account. If
18 the State Public Health Officer has not made a determination on
19 or before January 1, 2014, that at least five hundred thousand
20 dollars (\$500,000) is available to implement Section 123492, the
21 amount in the account shall be immediately distributed to each
22 contributor and the account shall cease to exist thereafter.

23 SEC. 3. Section 7 of Chapter 878 of the Statutes of 2006 is
24 repealed.